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Attorney for the Defendant,
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FRANCISCO ORNELAS-PADILLA,

Defendants.

Case No. 2:19-cr-00007-CDSNJK

**JOINT STIPULATION AND ORDER
TO CONTINUE SENTENCING**

(FIRST REQUEST)

IT IS HEREBY STIPULATED AND AGREED by and between Telia Mary U. Williams, Esq., counsel for the defendant, Francisco Ornelas-Padilla, and Brian Y. Whang, Esq., Assistant United States Attorney, counsel for the United States of America, that the Sentencing currently scheduled for September 22, 2022 at 10:00am, be vacated and reset. The parties respectfully request, if the court can accommodate them, that the sentencing occur sometime between **November 23, 2022, and January 16, 2023.**

This Stipulation is entered into for the following reasons:

1. Counsel for the Defendant is currently out of the jurisdiction for a previously

1 scheduled professional obligation, and will not be able to return until the
2 aforementioned dates, and particularly with enough time to meaningfully confer
3 with the Defendant, and prepare an effective sentencing memorandum.

4 2. Counsel for the Government is also going to be out of the jurisdiction for a
5 previously scheduled obligation on the date of the currently scheduled sentencing
6 hearing, and has no objection to this continuance.

7 3. The Defendant is in custody, but he does not object to a continuance.

8 4. Denial of this request for continuance would result in a miscarriage of justice.

9 5. For all the above-stated reasons, the ends of justice would best be served by a
10 continuance of the sentencing.

11 6. This is the first request for a continuance.

12 DATED: September 9, 2022

13 LAW OFFICE OF TELIA U. WILLIAMS

JASON M. FRIERSON
UNITED STATES ATTORNEY

14 By: /s/ Telia Mary U. Williams

By: /s/ Brian Y. Whang

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19 *Attorney for the Defendant,*
20 *Francisco Ornelas-Padilla*

Attorney for Plaintiff,
United States of America

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FRANCISCO ORNELAS-PADILLA

Defendant.

Case No. 2:19-cr-00007-CDS-NJK

ORDER

FINDINGS OF FACT

Based on the Stipulation of counsel, and good cause appearing therefore, the court finds that the Stipulation by, between, and among the United States, and the defendant Francisco Ornelas-Padilla, is entered into for the following reasons:

1. Counsel for the Defendant is currently out of the jurisdiction for a previously scheduled professional obligation, and will not be able to return and prepare an effective sentencing memorandum, by the date of the currently scheduled sentencing hearing.
2. Counsel for the Government is also going to be out of the jurisdiction on the current hearing date for a previously-scheduled obligation, and does not object to a continuance.
3. The Defendant is in custody, but does not object to a continuance.
4. Denial of this request for continuance would result in a miscarriage of justice.
5. For all the above-stated reasons, the ends of justice would best be served by a continuance of the sentencing.
6. This is the first request for a continuance of the sentencing hearing.
7. The parties have requested a re-setting of the hearing, if the court approves and is

1 able to accommodate them, for a date between November 23, 2022, and January
2 16, 2023.

3
4 **CONCLUSIONS OF LAW**

5 Denial of this request for continuance could jeopardize the ability of counsel for the
6 Defendant, Francisco Ornellas-Padilla, to adequately prepare for, and to appear for his
7 sentencing.

8 As such, denial of this request for continuance could result in a miscarriage of justice.

9
10 **ORDER**

11 IT IS HEREBY ORDERED that the sentencing currently scheduled for September
12 22, 2022 at 10:00am, be continued to the 1st day of December, 2022 at 1:30 p.m. in
13 courtroom 6B.

14 DATED this 13th day of September, 2022.

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17 UNITED STATES DISTRICT JUDGE
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